



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

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August 27, 2007

EM2  
Marshal R. Watson  
P.O. Box 651  
Bentonville, AR 72712

Re: Advisory Opinion #483-07-08

Dear Mr. Watson:

This letter is in response to your request for an advisory opinion in accordance with A.C.A. § 19-11-715(b). Your request for an advisory opinion is based on the following facts:

1. EM2 recently provided the Johnson County Office of Emergency Management with a proposal to assist in the development and execution of a homeland security exercise.
2. EM2 consultants and/or partners are also employed by Benton County.
3. You are requesting an opinion as to whether it is legally permissible for EM2 consultants to receive compensation for services provided to Johnson County while simultaneously employed with the county of Benton.

Arkansas's ethics in contracting law apply to state employees only. Since the individuals stated in your request are not state employees, there is no violation of Arkansas's ethics law. However, I would advise you to contact the county attorney in both Benton County and in those counties in which EM2 provides service to be sure there is no violation of the law in those counties.

This advisory opinion is issued in accordance with A.C.A. § 19-11-715(b). Compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and of Governor's Executive Order 98-04.

Sincerely,

Richard Weiss  
Director

CC:  
Joe Giddis, OSP  
David Maxwell, ADEM